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8 UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 HIGH MAINTENANCE BITCH, LLC, a) Case No.:
Washington limited liability company)
11 Plaintiff,) COMPLAINT
12)
13 vs.) (JURY TRIAL DEMANDED)
14 B A BARKER, INC, a Arkansas)
Corporation,)
15 Defendant)

16 Plaintiff High Maintenance Bitch, LLC ("HMB") complains against
17 defendant B A Barker, Inc. ("Barker"), and for causes of action alleges as
18 follows.

19 THE PARTIES

20 1. Plaintiff HMB is a Washington State limited liability company,
21 with its principal place of business at 10015 Lake City Way, NE, Box 315,
22 Seattle, Washington, 98125.

23 2. HMB is the owner of United States Patent No. D475,163
24 ("HMB Patent 1"), reproduced as Exhibit A hereto.

25 3. HMB is the owner of United States Patent No. D468,491
26 ("HMB Patent 2"), reproduced as Exhibit B hereto.

1 4. HMB is the owner of United States Patent No. D475,162
2 ("HMB Patent 3"), reproduced as Exhibit C hereto.

3 5. Barker is a corporation organized and existing under the laws
4 of the state of Arkansas, with its principal place of business at 8
5 Summerland CT, Little Rock, Arkansas, 72227.

6 **Jurisdiction**

7 6. This is a civil action for patent infringement committed by
8 Barker.

9 7. This court has original subject matter jurisdiction over HMB's
10 claims for relief, which arise under the laws of the United States and more
11 particularly Title 35 of the United States Code, Pursuant to 28 USC § 1331.

12 8. This court has original subject matter jurisdiction over HMD's
13 claims for relief, which arise under act of Congress relating to patents,
14 pursuant to 28 USC § 1338(a).

15 **Factual Background**

16 9. Barker has made, used, sold, and/or offered for sale products that
17 are within the scope of the claims of HMB Patent 1, HMB Patent 2, and HMB
18 Patent 3.

19 10. HMB has not licensed or assigned Barker HMB Patent 1, HMB Patent
20 2, or HMB Patent 3.

21 **Causes of Action**

22 COUNT I
(Direct Infringement of HMB Patent 1)

23 11. By this reference HMB incorporates and re-alleges, as though
24 fully set forth herein, paragraphs 1 through 10 above.

25 12. Barker, without authority has made, used, sold, and/or offered
26 for sale goods within the scope of the claims of HMB patent 1.

1 13. The conduct of Barker as set forth above gives rise to a
2 cause of action for direct infringement of HMB patent 1, pursuant to 35 USC
3 §§ 271(a), 281, and 289.

4 14. HMB alleges that Barker will continue to infringe HMB Patent 1
5 unless enjoined by the court.

6 15. By reason of the foregoing HMB is entitled to injunctive and
7 monetary relief against Barker, pursuant to 35 USC §§ 283-285, as more fully
8 set forth below.

9 COUNT II
10 (Direct Infringement of HMB Patent 2)

11 16. By this reference HMB incorporates and re-alleges, as though
12 fully set forth herein, paragraphs 1 through 15 above.

13 17. Barker, without authority has made, used, sold, and/or offered
14 for sale goods within the scope of the claims of HMB patent 2.

15 18. The conduct of Barker as set forth above gives rise to a
16 cause of action for direct infringement of HMB patent 2, pursuant to 35 USC
17 §§ 271(a), 281, and 289.

18 19. HMB alleges that Barker will continue to infringe HMB Patent 2
19 unless enjoined by the court.

20 20. By reason of the foregoing HMB is entitled to injunctive and
21 monetary relief against Barker, pursuant to 35 USC §§ 283-285, as more fully
22 set forth below.

23 COUNT III
24 (Direct Infringement of HMB Patent 3)

25 21. By this reference HMB incorporates and re-alleges, as though
26 fully set forth herein, paragraphs 1 through 20 above.

 22. Barker, without authority has made, used, sold, and/or offered
for sale goods within the scope of the claims of HMB patent 3.

23. The conduct of Barker as set forth above gives rise to a cause of action for direct infringement of HMB patent 3, pursuant to 35 USC §§ 271(a), 281, and 289.

24. HMB alleges that Barker will continue to infringe HMB Patent 3 unless enjoined by the court.

25. By reason of the foregoing HMB is entitled to injunctive and monetary relief against Barker, pursuant to 35 USC §§ 283-285, as more fully set forth below.

PRAYER FOR RELIEF

WHEREFORE, HMB prays for judgment against Barker as follows.

A. An order of this court temporarily, preliminarily, and permanently enjoining B A Barker, Inc., its agents, and any and all parties acting in concert with any of them from directly or indirectly infringing in any manner HMB Patent 1, HMB Patent 2, and HMB Patent 3, whether by making, using, selling, and/or offering to sell infringing products, pursuant to at least 35 USC § 283;

B. An award of damages to HMB, in an amount to be proven at trial, pursuant to at least 35 USC § 284;

C. Prejudgment interest pursuant to at least 35 USC § 284;

D. An award of HMB's attorney's fees and expenses pursuant to at least 35 USC § 285; and

E. For such other and further relief as the court deems just, proper and equitable.

DEMAND FOR JURY

Plaintiff High Maintenance Bitch, LLC demands TRIAL BY JURY of all causes so triable.

1 Dated this June 8, 2007

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